

REMARKS

Claims 1-23 are present in this application. Claims 1, 14, 18, and 20-22 are independent. No claims have been canceled, added, or amended. Reconsideration of this application is respectfully requested.

Claim Rejection - 35 U.S.C. § 103(a)

Claims 1-3, 12, 14, and 16-22 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable by Lubrina et al. (U.S. Patent Publication No. 2002/0179588) in view of Hupp (U.S. Patent No. 2,739,584). Claims 4-5, 11, 13, 15, and 23 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable by Lubrina in view of Hupp and in further view of Chandler et al. (U.S. Patent No. 6,874,331). Claims 6-7 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable by Lubrina in view of Hupp and in further view of Han et al. (U.S. Patent No. 6,414,287). Claims 8-10 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable by Lubrina in view of Chandler and in further view of Austin et al. (U.S. Patent No. 6,561,180). Applicants respectfully traverse these rejections.

Preliminary Remarks

In the Response filed on June 17, 2010, the Examiner failed to address all of Applicants' arguments. More specifically, the Examiner failed to address Argument 2 of 2 in the Response filed on June 17, 2010. The Examiner merely 'copy and pasted' the same rejection (*verbatim*) of claims 6-7. Therefore, Applicants respectfully request that the Examiner consider the Applicants' arguments (Argument 2 of 2) that were not considered by the Examiner in the Office Action of September 2, 2010 and issue a subsequent Non-Final Office that addresses all of the Applicants' arguments. Applicants respectfully request a subsequent Non-Final Office because Applicants were not provided with a complete response by the Examiner (*i.e.*, Examiner failing to address all of the Applicants' arguments).

Furthermore, it appears the Office Action included numerous typographical errors. First, it appears the Examiner has rejected claims 6-7 under 35 U.S.C. § 103(a) as being allegedly unpatentable by Lubrina, Hupp, and Han while citing to Lubrina, Hupp, Han, and Chandler. Second, it appears the Examiner has rejected claims 8-10 under 35 U.S.C. § 103(a) as being

allegedly unpatentable by Lubrina, Chandler, and Austin while citing to Lubrina, Hupp, Han, Chandler, and Austin. Therefore, Applicants respectfully request that the Examiner issue a subsequent Non-Final Office because it is not clear as to what references the Examiner is relying on.

In sum, the Examiner is respectfully requested to provided a subsequent Non-Final Office because the Examiner failed to address all of Applicants' arguments of June 17, 2010 (the Examiner merely copied and pasted the previous rejection) and because it is not clear what references are being relied upon (the Examiner merely copied and pasted the previous rejection and revised some of the rejection headings).

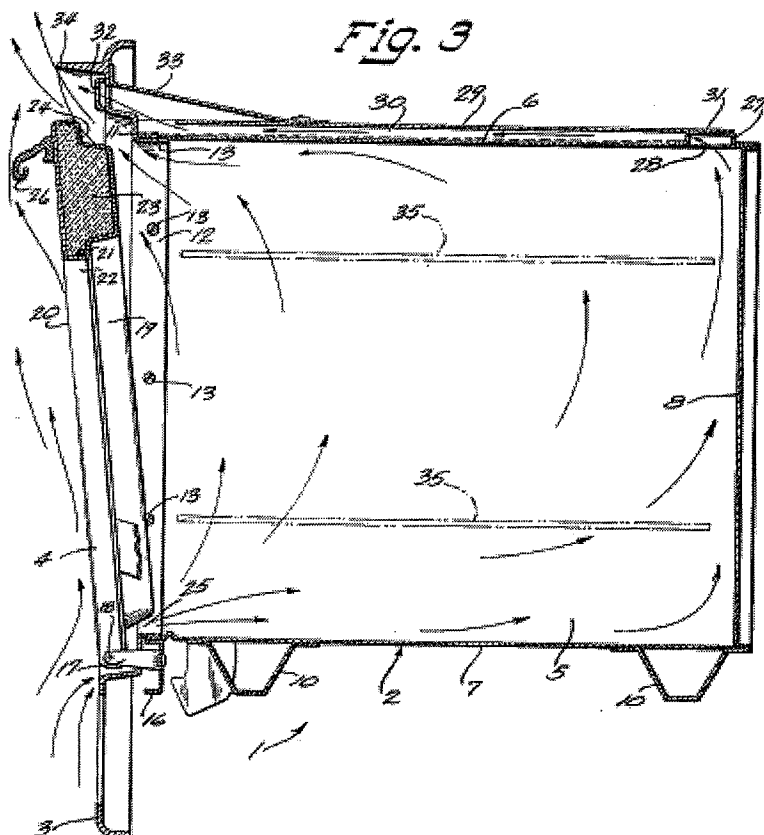
Argument 1 of 2: Features of claims 1, 14, 18, and 20-22 not disclosed by cited prior art

Independent claim 1 recites, *inter alia*, “a door which is pivotably hinged in a bottom part or top part of a casing for housing the heating chamber and with which the opening is opened and closed;...a blowing unit that blows air so that the air passes the opening sideways and parallel to a rotation axis of the door when the door is opened, and the blowing unit blowing the air only across a part of the opening above a center thereof.” *Emphasis added.*

The Examiner acknowledges that Lubrina fails to disclose the claimed feature of “a blowing unit that blows air so that the air passes the opening sideways and parallel to a rotation axis of the door when the door is opened, and the blowing unit blowing the air only across a part of the opening above a center thereof.” (See Office Action, page 3, section 4, lines 8-9.) Thus, the Examiner relies on Hupp for allegedly disclosing the above said claimed feature.

However, Hupp fails to disclose “a blowing unit that blows air so that the air passes the opening sideways and parallel to a rotation axis of the door when the door is opened, and the blowing unit blowing the air only across a part of the opening above a center thereof.” In other words, Hupp fails to disclose or suggests anything about a construction in which the pivot axis of the door is parallel to the direction of air blow.

More specifically, the Examiner relies on Figure 3 of Hupp for illustrating air circulating in the oven:



First of all, Hupp fails to disclose that air is *blown* so that the air passes the opening *sideways and parallel* to a rotation axis of the door. Hupp merely illustrates that air enters the oven and in a circular fashion. Therefore, the air is *not* blown so that the air passes in a sideways and parallel fashion. Thus, Hupp fails to explicitly disclose the claimed feature of “blows air so that the air passes the opening *sideways and parallel* to a rotation axis of the door when the door is opened.”

Second, because the Examiner is merely relying on Hupp for coincidentally illustrating air flow, Hupp fails to disclose “a blowing unit” that blows air. As stated above, air merely enters the oven when the door opens. us, Hupp fails to explicitly disclose the claimed feature of “a *blowing unit that blows air* so that the air passes the opening sideways and parallel to a rotation axis of the door when the door is opened, and *the blowing unit blowing the air* only across a part of the opening above a center thereof.”

Third, because there is no actual blowing unit in Hupp, Hupp fails to disclose that air is blown *only* across a part of the opening. Therefore, the claimed invention requires that air is blown across a portion of the opening, not the entire opening as illustrated by Hupp.

Thus, Hupp fails to explicitly disclose “a blowing unit that blows air so that the air passes the opening sideways and parallel to a rotation axis of the door when the door is opened, and the blowing unit blowing the air only across a part of the opening above a center thereof.”

Further, in Hupp, as shown in Figure 3, a gap 25 is formed below the door 4. The aim is to take in air into the heating chamber 2 during or after heating. (See Hubb, col. 2, lines 34-38.) When the door 4 is opened, air passes through the gap 25 into the heating chamber 2, then passes from a rear part inside the heating chamber 2 through an opening 28 in the ceiling face of the heating chamber 2 into a duct 29, through which the air is eventually discharged frontward through an exhaust port 32. When the door 4 is opened, another gap also appears between the top end of the door 4 and the front panel 3, and thus the air inside the heating chamber 2 is discharged frontward through this gap as well. These flows of air cool down the interior of the heating chamber 2. (See Hubb, col. 3, lines 11-42.)

The flows of air that occur when the door 4 is opened are, as indicated by arrows in Figure 3, all perpendicular to the pivot axis of the door 4. Specifically, in Figure 3, the pivot axis of the door 4 runs through the hinge pin 18 (see Hubb, col. 2, lines 20-25), and this hinge pin extends in the direction perpendicular to the plane of Figure 3. Thus, the flows of air in Figure 3 are such that “the pivot axis (hinge pin) of the door is perpendicular to the direction of air blow,” and not such that the pivot axis of the door is parallel to the direction of air blow as in the claimed invention.

Accordingly, combining Lubrina with Hupp would not lead a person skilled in the art to conceive the heat-cooking apparatus of the claimed invention in which the pivot axis of the door is parallel to the direction of air blow.

In addition to the above remarks, the Examiner should note that Hubb fails to disclose the claimed invention for at least the following two main points, Hupp merely discloses that:

- i. The pivot axis of the door runs through the hinge pin, and is thus perpendicular to the plane of Figure 3; and

- ii. In Figure 3, the direction of air blow is perpendicular to, and not parallel to, the hinge pin.

Lastly, the vertically openable door provides numerous benefits. For example, blowing cooling air onto a vertically openable door parallel to the opening permits, when the door is opened, the blown cooling air to shield the steam inside the heating chamber without hitting the door. This prevents steam from flowing toward the user as in Hupp. Also prevented is the disturbance of air flow as occurs in conventional steam cookers which results from air blown from top downward hitting the door and causes steam to flow toward the user. Thus, it is possible to ensure that, when the door is opened, steam does not flow out of the heating chamber toward the user.

Therefore, independent claim 1 is submitted to be allowable over Lubrina and Hupp for at least the above reasons.

Independent claims 14, 18, and 20-22 are allowable for similar reasons as set forth above in reference to independent claim 1.

Dependent claims 2-13, 15-17, 19, and 23 are allowable for the reasons set forth above with regards to claims 1, 14, 18, and 22 at least based on their dependency on claim 1, 14, 18, and 22.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-23 under 35 U.S.C. § 103(a).

Reconsideration and allowance of claims 1-23 are respectfully requested for at least the above reasons.

Argument 2 of 2: Features of claims 6-7 not disclosed by cited prior art

Dependent claim 6 recites, *inter alia*, “the blowing unit has a cooling fan for cooling a power supply circuit board provided inside the apparatus, and the blowing unit blows, air sucked in from outside the apparatus by the cooling fan so that air passes the opening sideways.” Dependent claim 7 recites, *inter alia*, “the blowing unit includes a deflecting unit that deflects the air sucked in by the cooling fan to blow the air so that air passes the opening sideways.”

The Examiner relies on Han for allegedly disclosing the features of dependent claims 6-7.

Han discloses a microwave oven in which outside air is introduced into it by a cooling fan to cool a circuit board inside. (See Han, column 4, lines 9-21). However, in Han, the cooling fan is used exclusively to cool the circuit board. That is, what Han discloses is not a construction in which air sucked in by a cooling fan is also used to blow air across the opening, much less a construction in which air sucked in by a cooling fan is deflected to be directed across the opening. Thus, Han fails to disclose the claimed invention of dependent claims 6-7. Lubrina and Chandler fail to make up for the deficiencies of Han.

Therefore, dependent claims 6-7 are submitted to be allowable over Lubrina, Chandler, and Han for at least the above reasons.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 6-7 under 35 U.S.C. § 103(a).

Reconsideration and allowance of claims 6-7 are respectfully requested for at least the above reasons.

Conclusion

Therefore, for at least these reasons, all claims are believed to be distinguishable over the combination of the cited prior art, individually or in any combination. It has been shown above that the cited references, individually or in combination, may not be relied upon to show at least these features. Therefore, claims 1-23 are distinguishable over the cited references.

In view of the above remarks, it is believed that the pending application is in condition for allowance.

Applicants respectfully request that the pending application be allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Aslan Ettehadieh (Reg. No. 62,278) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

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Respectfully submitted,

By 

Michael R. Cammarata

Registration No.: 39491

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, VA 22040-0747

703-205-8000